



**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Emergency Relief)	
Due to COVID-19-Related Delays in)	CG Docket No. 21-304
3G Sunset Transition for Central)	
Station Alarm Subscribers)	

Comments of AARP

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Trevor R. Roycroft, Ph.D.
Consultant

David Certner
Legislative Counsel and
Legislative Policy Director
Government Affairs
AARP
601 E Street, NW
Washington, DC 20049

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AARP's Interest in this Proceeding

AARP respectfully submits these Comments for the FCC's consideration, and thanks the Commission for the opportunity to participate in this important proceeding regarding the impact of the 3G sunset on both the alarm industry and the millions of individuals who rely on alarm services. The issues raised by the Alarm Industry Communications Committee's (AICC) Petition go to the heart of how to successfully implement technology transitions. In the *2014 Technology Transitions Order*, the Commission noted that "Technology transitions mark progress and are a good thing – sometimes even a triumph."¹ As AARP has previously told the Commission, for these aspirational objectives to be achieved, consumers must be fully informed and have time to respond to proposed changes.² This is true for both voice and data services that may be provided over legacy networks.

Telecommunications technology has promoted the ability of older Americans to age in place, and reliable and affordable telecommunications is a key element of providing aging in place solutions. The COVID-19 pandemic has further illustrated the importance of aging in place as a strategy that positively supports older Americans. Residential care settings have proven to be a high-risk environment for older Americans during the pandemic.³ As has long been recognized

¹ *Technology Transitions et al.*, GN Docket No. 13-5 et al., Order, Report and Order and Further Notice of Proposed Rulemaking, Report and Order, Order and Further Notice of Proposed Rulemaking, Proposal for Ongoing Data Initiative, 29 FCC Rcd at 1439, para. 15.

² See, AARP Comments *In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, June 15, 2017. AARP has been an active participant in Commission proceeding that have addressed technology transition issues. See, for example: Comments of AARP in GN 12-353, filed January 28, 2013; Reply Comments of AARP in GN-12-353, filed February 25, 2013; Comments of AARP in GN Docket No. 13-5, filed July 8, 2013; Comments of AARP in WC Docket NO. 13-150, Comp. Pol. File No. 1115, July 29, 2013; Comments of AARP in PS Docket No. 14-174, et seq., filed February 15, 2014; Comments of AARP in GN Docket No. 13-5, et seq., filed October 26, 2015.

³ See, for example, "COVID-19 Had a Devastating Impact on Medicare Beneficiaries in Nursing Homes During 2020," U.S. Department of Health and Human Services, Office of Inspector General, June 2021. <https://oig.hhs.gov/oei/reports/OEI-02-20-00490.pdf>

by AARP, telecommunications technology, including wired and wireless broadband and narrowband networks are key to successful aging in place strategies.⁴ Any interruption of these services places individuals and families at risk, and AARP believes that disruptions in any telecommunications service due to technology transition are unacceptable.

AARP members utilize services offered by AAIC members, including alarm monitoring services and personal emergency response systems (PERS). The PERS are utilized primarily by the elderly and other at-risk individuals who need the ability to reach first responders in situations where they may be unable to pick up a telephone and dial 911. Individuals who use PERS typically wear a wristband or pendant with a single button that, when activated, results in first responders being notified of an emergency. It is estimated that three million Americans rely on PERS.⁵ With regard to more general alarm services, it is estimated that over 17.4 percent of households have a home security system.⁶ Thus, the resolution of this issue will potentially impact millions of individuals and households.

AARP has reviewed the AICC Petition for Emergency Relief. AARP is pleased to see that AICC and AT&T Mobility (AT&T) continue to meet in an attempt to resolve their differences. AARP hopes that these parties can quickly reach a mutually agreeable resolution to the 3G transition problems facing individuals, families, and businesses that rely on 3G technologies. AARP notes that while AICC has attempted to implement a stopgap technology called CellBounce to assist

⁴ See, for example, "A Platform for Aging in Place: The Increasing Potential of High-speed Internet Connectivity," AARP Public Policy Institute, 2013.

https://www.aarp.org/content/dam/aarp/research/public_policy_institute/cons_prot/2013/potential-of-high-speed-internet-connectivity-AARP-ppi-cons-prot.pdf

⁵ *Washington Post*, "Considering a medical alert device? Here's what you should know before buying," February 25, 2019. https://www.washingtonpost.com/lifestyle/wellness/considering-a-medical-alert-device-think-again/2019/02/22/320938d8-23f5-11e9-90cd-dedb0c92dc17_story.html

⁶ "Digital Markets, Smart Home: Security," Statista, 2021 data. <https://www.statista.com/outlook/dmo/smart-home/security/united-states>

with the transition to 3G services, CellBounce technology is not sufficient for use with PERS and also does not meet commercial fire code standards.⁷ Given the importance of the services that continue to rely on 3G networks, AARP believes that if these parties cannot reach agreement, it is essential that the Commission grant AICC's request and require AT&T to extend its 3G service until December 31, 2022.

AICC Reasonably Supports its Request

As noted by AICC, the three-year technology transition established by AT&T for the sunset of its 3G network was established prior to the COVID-19 pandemic, with AT&T announcing its February 2022 sunset in February of 2019.⁸ Certainly, the disruptions imposed by the COVID-19 pandemic are unprecedented, and the majority of AT&T's planned 3G transition falls within the COVID-19 crisis period. AICC identifies a confluence of credible factors that are hindering the ability of AICC members from meeting AT&T's February 2022 3G transition deadline.⁹ Those factors include the global chip shortage which is affecting many industries,¹⁰ including the alarm industry.¹¹ Likewise, the reluctance of individuals to allow alarm technicians to enter their homes

⁷ AICC Petition, p. 7. In addition, CellBounce technology does not work outside the home, making it unacceptable for mobile personal emergency response systems.

⁸ AICC Petition, p. 5. See also, *Wall Street Journal*, "AT&T Gives 3G Service Three Years to Live," February 21, 2019. <https://www.wsj.com/articles/at-t-gives-3g-service-three-years-to-live-11550765221>

⁹ AICC Petition, pp. 8-17.

¹⁰ On the chip shortage in general, see, for example, "Chip Shortage Keeps CIOs and Other Tech Leaders Scrambling, Across the economy, corporate tech leaders are dealing with dwindling supplies of the physical building blocks of IT," *Wall Street Journal*, August 9, 2021, <https://www.wsj.com/articles/chip-shortage-keeps-cios-and-other-tech-leaders-scrambling-11628538919>

¹¹ In addition to AICC's Petition, pages 15-17, see also ADT's 2020 annual report, which discusses the negative impact of the global chip shortage on ADT's ability to meet the 3G retirement deadlines: "Certain of our key suppliers have begun to see the impact on their ability to obtain certain components which could present challenges to our ability to obtain the inventory necessary to meet the demands of our new and existing customers, and to complete crucial initiatives such as the upgrading of cellular equipment at customer sites to meet new network standards prior to the retirement of 3G and CDMA networks." ADT Form 10-K for the Fiscal Year Ended December 31, 2020, February 5, 2021, p. 21. https://s22.g4cdn.com/631128414/files/doc_downloads/2021/ADT-Inc-10-K-12-31-2020-Final-Filed-Version-Filed-2.25.21.pdf

should sound familiar to the Commission, as even the wireless industry trade organization, CTIA, of which AT&T is a member, requested scheduling relief from the Commission due to its inability to gain access to buildings to complete testing associated with the implementation of E911 z-axis testing.¹² Likewise, AICC points to staffing issues both associated with the drag on worker availability during the peak of the pandemic due to illness, as well as general staffing shortages that are plaguing businesses of all types.¹³ These hinderances are certainly not news to the Commission as factors such as these have been plaguing a wide variety of businesses and have been making headlines for the past eighteen months.

AICC Identifies Reasonable Sources of Authority

As noted above, AARP believes that the ideal solution to the problem facing consumers who rely on PERS and/or alarm services that utilize AT&T 3G services would be for AICC and AT&T to reach a mutually agreeable resolution of the issue that assured the continuity of reliable 3G service until the alarm and PERS equipment transition can be completed. If AT&T were to voluntarily extend the retirement date for its 3G services until December 31, 2022, and also continue to maintain reliable 3G facilities until that retirement date, it appears to AARP that the risks facing consumers will be mitigated. However, if AT&T is unwilling to voluntarily commit to this course of action, AARP believes that the Commission should require AT&T to alter its pre-pandemic 3G retirement schedule. Among other factors, AICC notes that under section 332(c) of the Communications Act, providers of commercial mobile services are common

¹² AICC Petition, p. 11, citing CTIA Petition for Reconsideration, *In the Matter of Wireless E911 Location Accuracy Requirements*, PS Docket No. 07-114, September 28, 2021.

<https://ecfsapi.fcc.gov/file/1092835868478/200928%20CTIA%20Petition%20for%20Reconsideration%20of%20FCC%20Sixth%20RO%20on%20911%20Location%20Accuracy.pdf>

¹³ AICC Petition, pp. 13-14.

carriers,¹⁴ which certainly gives the Commission a strong foundation for imposing the requested change in the sunseting of AT&T's 3G services.

Conclusion

As it considers AAIC's Petition, the Commission must continue to maintain its focus on promoting smooth technology transitions and ensure that fundamental issues, such as adequate customer notice, sufficient time for customers to be switched over to the new technology platform, and continuity of essential services can be achieved. Certainly, the circumstances surrounding the COVID-19 pandemic are extraordinary. There are also clear linkages between the consequences of the pandemic and the ability of AICC members to successfully complete the 3G transition. Thus, AARP believes that, should AAIC and AT&T fail to resolve their differences, the Commission has no choice but to grant AAIC's request, a request which certainly cannot be viewed as extreme. AARP does not believe that the additional ten months requested by AAIC is excessive and given the stakes riding on the availability of 3G services to millions of consumers, the benefits of the requested delay appear to be substantial. The negative impact of the disruption of 3G service on alarm and PERS services, especially during the ongoing pandemic, will impose significant costs on those that rely on the 3G platform. The Commission should not accept an outcome that contradicts the Commission's basic mission, i.e., the promotion of "safety of life and property through the use of wire and radio communications."¹⁵

¹⁴ AICC Petition, p. 21.

¹⁵ 47 U.S. Code § 151.